



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: P. Mukerji et al.

Serial No.: 10/060,793

Filed: January 30, 2002

For: DESATURASE GENES,
ENZYMES ENCODED THEREBY AND
USES THEREOF

Case No.: 6884.US.01

Examiner: McElwain, E.F.

Group Art Unit: 1638

Certificate of Mailing under 37
CFR §1.8(a):

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Kimberly A. Iorio
Kimberly A. Iorio Date

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to Comply With Requirements
for Patent Applications Containing Nucleotide Sequence
and/or Amino Acid Sequence Disclosures dated September 28,
2004, Applicants' attorney respectfully submits that the
Substitute Sequence Listing filed on May 11, 2004 includes
sequence identifiers and corresponding sequence information
relating to the sequences associated with "SYCDESB" (SEQ ID
NO:44), "CELEFAT" (SEQ ID NO:46) and "GHO6DES" (SEQ ID
NO:48). Further, the Preliminary Amendment of June 18,



ILW

0300 Sequence Intig
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Serial No.: 10/060,793

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Attorney Docket No.: 6884.US.01

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Kimberly A. Yorlo

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith for the patent application identified above
entitled DESATURASE GENES, ENZYMES ENCODED THEREBY AND USES
THEREOF are the following:

1. Response to Notice to Comply (2 Pages);
2. Copy of Notice to Comply (1 Page); and
3. Return Receipt Postcard.

The Commissioner is hereby authorized to charge any additional
Filing Fees required under 37 CFR §1.16, as well as any patent
application processing fees under 37 CFR §1.17 associated with
this communication for which full payment had not been tendered,
to Deposit Account No. 01-0025. A duplicate copy of this sheet
is enclosed.

Respectfully submitted,
P. Mukerji, et al.

ABBOTT LABORATORIES
Customer No.: 23492
Telephone: (847) 935-1729
Facsimile: (847) 938-2623

Cheryl L. Becker
Cheryl L. Becker
Registration No. 35,441
Attorney for Applicants

OCT 25 2004

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: See attached

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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2002 indicates that the specification was amended to include the above-referenced sequence identifier numbers.

In the Response and Supplemental Amendment filed on May 11, 2004, Applicants' attorney was simply trying to point out that the three designations noted above were not in and of themselves sequences. Any inadvertent confusion is regretted.

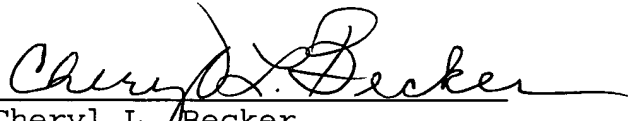
Reconsideration and allowance of the above-referenced application are respectfully requested.

In conclusion, it is submitted that the subject application is in condition of allowance and Notice to that effect is respectfully requested.

Further, should the Examiner have any questions relating to the above, she is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
P. Mukerji, et al.

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